

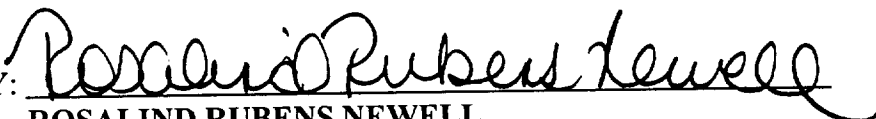
Entered - 05/08/01 - sb
CL01L0291 - DIANNE C. MITCHELL

CLAIM OF: **GLENN A. GIBSON, JR.**
4856 Haymarket Trail
Decatur, Georgia 30035

01- *R* -0812

For damages alleged to have been sustained as a result of vehicular damage due to a pothole on April 11, 2001 at Fulton Industrial Boulevard and Patton Drive.

THIS ADVERSED REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0291

Date: May 17, 2001

Claimant /Victim GLENN A. GIBSON, JR.

BY: (Atty)(Ins. Co.) _____

Address: 4856 Haymarket Trail, Decatur, Georgia 30035

Subrogation: _____ Claim for Property damage \$ 174.00 Bodily Injury \$ _____

Date of Notice: 04/20/01 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 04/11/01 Place: Fulton Industrial Boulevard and Patton Drive

Department _____ Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that his vehicle was damaged due to a pothole at the above referenced location. The investigation determined that the roadway is a part of the Georgia State Highway System and the responsibility of the State Department of Transportation, and furthermore, this location is outside the Atlanta City limits. The claimant has been advised to pursue his claim with the State Department of Transportation.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____

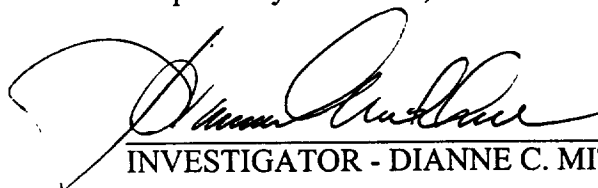
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved X Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 05-18-01

Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 17 Apr. 01

ENTERED - 5-8-01 - SB
01L0291 - DIANNE MITCHELL

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 174.00 property and/or \$ 0 bodily injury for which I contend the City is liable.

1. Date of incident: 04-11-01 (month/day/year) 2. Time of Incident: 10:00a.m. 3. Police called: Yes ☒ No ☐
4. Location of incident (including street address): Fulton Industrial Blvd & Patton Drive
5. Name of your insurance company: AMEX Insurance Co. Policy No. AX00138264
6. State what and how incident occurred: - See Attachment -

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Acura Legend 1989 TTY 031 Glenn A. Gibson Jr.
(Make) (Year) (Tag Number) (Driver's Name)

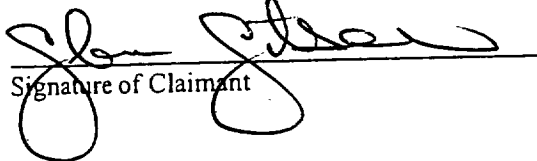
City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Glenn A. Gibson 4856 Hay Market Trail 770 981-2582
(Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.


Signature of Claimant

Glenn A. Gibson Jr.
(Print Claimant's Name)
4856 Hay Market Trail
(Address)
Decatur, GA 30035
(City, State and Zip Code)

313215-7666 770981-2582
(Work Number) (Home Number)

Attachment (Pg.#1)

On the date of 11 April 2001 at approximately 9:55a.m. I had just left the Coca Cola facility located at 1001 Great West Parkway. I got on Fulton Industrial Blvd. and was proceeding back to Interstate-20 when I ran over an oversized pot hole located at FULTON INDUSTRIAL BLVD. and PATTON DRIVE. There is a CITGO GAS STATION and an OFFICE DEPOT located on that corner.

The impact made my right (passenger side) front tire warp and form a large bubble on the outside on the rim. Though the tire didn't blow out completely at that present time, it was definitely not suitable for driving a great distance.

Also spontaneously, my wheel cover (center cap) was completely blown off breaking it's wheel lock support cable. The wheel cover was destroyed by other vehicles proceeding through the traffic light at that intersection where the pot hole exists.

I did however manage to regain control of the vehicle and pulled over immediately to inspect visual damages. I'm hopeful that there won't be any underbody damages that will become existent in the near future but I did notice that there was a lot of debris collected (glass, bent nails, & other fragments) by both tire in the lot located aside of Citgo Gas Station.

When the traffic light turned red I was able to retrieve my wheel center cap that was destroyed by the incident.

With my hazard lights on and in a slow manner I proceeded to QUICK FLEET TIRE SALES, INC. located at 3075 Bankhead Hwy, N.W. Atlanta, GA. 30318 where the necessary repairs were done to my vehicle.

Both front tires were replaced at the Tire Technician's discretion. He stated that it was only a matter of time before the damaged tire would bust. Also, that the other tire should be replaced because of the collected debris and to ensure a better ride. (One new tire and an old tire on the front of an automobile would result in a not so good ride imposed by uneven tire tread.

In this complaint I'm only requesting that financial compensation for the following:

(1) Front right tire \$65.00 / \$8.00 Computer Balance/ \$1.00 EPD Fee	\$74.00
(1) Center Cap Replacement for Acura Dealer	\$80.00
(1) Center Cap Locks (set of 4) Automotive Store	\$20.00
TOTAL \$174.00	

Thank you for consideration and prompt attention into my request.
Also please get some attention to that location before someone seriously gets hurt.

01- R -0812